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December 29, 2008

**SENT VIA FIRST CLASS MAIL**  
**AND FACSIMILE (973.645.4412)**

The Honorable Michael A. Shipp  
U.S. District Court for the District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street, Room 4015  
Newark, NJ 07101

Re: *Buckner v. Continental Airlines, Inc.*  
Case No.: 08-1426

Dear Judge Shipp:

As you are aware, I represent Plaintiff in the above referenced case. Please allow this letter to serve as a joint request to toll all deadlines, including discovery, from today through January 14, 2009. The Parties will engage in private mediation on January 14, 2008, and are optimistic that a resolution can occur. However, due to the impending discovery deadline of February 2, 2009, if the deadlines are not tolled the Parties will be forced to conduct further discovery, including depositions, before the mediation. This will result in a needless expenses being incurred by both Parties should the case settle.

Therefore, we are requesting that all current deadlines be tolled from today through January 14, 2009. Should the case not settle, it is requested that discovery continue on January 15, 2009, and run from January 15, 2009 through February 18, 2009.

Both Parties certify that this request is not intended to cause undue delay, and is instead intended solely to reduce needless legal expenses of both Parties.

Respectfully Submitted,

So Ordered this 30<sup>th</sup> day  
of December, 2008  
Justin Swidler

KARPF, KARPF &amp; VIRANT PC

*Justin Swidler*  
Justin L. Swidler, Esq.

CC: William McLane (facsimile only 973.643.5626)